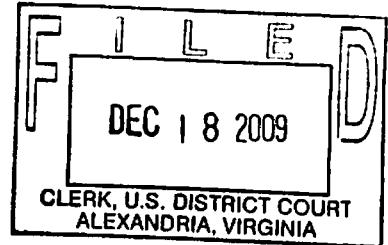


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division

SIGRAM SCHINDLER )  
BETEILIGUNGSGESELLSCHAFT )  
MBH )  
Plaintiff, )  
v. )  
DAVID J. KAPPOS in his official )  
capacity as Undersecretary of )  
Commerce for Intellectual Property )  
and Director of the United States )  
Patent and Trademark Office, *et al.*, )  
Defendants. )



No. 1:09cv935

**ORDER**

For the reasons stated in an accompanying Memorandum Opinion of December 14, 2009,  
and for good cause,

It is hereby ORDERED that plaintiff's cross-motion for summary judgment is DENIED  
and that defendants' cross-motion for summary judgment is GRANTED.

Accordingly, it is further ORDERED that plaintiff's complaint is hereby DISMISSED  
WITHOUT PREJUDICE and that the Clerk is DIRECTED to enter judgment in favor of  
defendants pursuant to Rule 58, Fed. R. Civ. P.

The Clerk is directed to send a copy of this Order to all counsel of record and to place the  
matter among the ended causes.

Alexandria, VA  
December 18, 2009

  
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T. S. Ellis, III  
United States District Judge